

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:)	Group Art Unit:	3673
)		
JACKSON et al.)	Examiner:	SINGH, SUNIL
)		
Serial No.: 10/688,216)	Confirmation No.:	7252
)		
Filed: October 15, 2003)	<u>RESPONSE TO RESTRICTION</u>	
)	<u>REQUIREMENT</u>	
Atty. File No.: 4770-37)		
)		
For: "AUTOMATED EXCAVATION)		
MACHINE")		

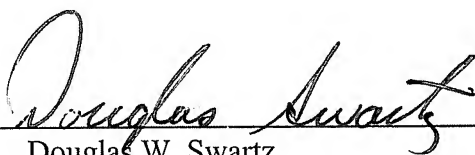
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In an Office Action dated December 11, 2006, the Examiner issued a Restriction Requirement with regard to the above-identified patent application. Generally, the Examiner indicated that Claims 1-38 and 60-64 (Group I), drawn to an excavator and Claims 44-59, 65 and 67-79 (Group II), drawn to a method of excavating were distinct inventions. Applicants hereby elect to prosecute Claims 1-38 and 60-64 in this patent application. However, Applicants respectfully reserve the right to pursue Claims 44-59, 65, and 67-79 in a subsequent divisional/continuation application.

Respectfully submitted,

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